

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : **EXPEDITED PROCEDURE**  
Christian BAUER : **RESPONSE UNDER 37 CFR 1.116**  
U.S. Patent Application No. 10/767,744 :  
Filed: January 30, 2004 : Group Art Unit: 3632  
: Confirmation No. 5715  
: Examiner: Alfred J. Wujciak

For: RETAINING MEMBER

**NOTICE OF APPEAL**  
**FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

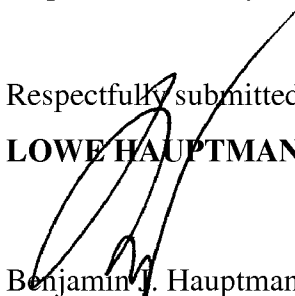
Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner finally rejecting *all* claims.

A credit card authorization to cover the Appeal Fee is provided. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

**LOWE HAUPTMAN & BERNER, LLP**

  
Benjamin J. Hauptman  
Registration No. 29,310

1700 Diagonal Road, Suite 300  
Alexandria, Virginia 22314  
(703) 684-1111 BJH/klb  
(703) 518-5499 Facsimile  
**Date: July 17, 2006**